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May 13, 2019

By ECF

The Honorable Katherine H. Parker
United States Magistrate Judge
United States Courthouse
500 Pearl Street
New York, NY 10007

Re: Daniel Kleeberg et al. v. Lester Eber et al., 1:16-cv-09517-LAK-KHP
Request to Extend Time to Answer Intervenor Complaint

Dear Judge Parker,

I write on behalf of Plaintiffs in the above-named matter. Today is the deadline for the parties to respond to the Intervenor Complaint filed by Canandaigua National Bank (“CNB”) on April 22, 2019. I write to respectfully request an extension of time for Plaintiffs to answer be extended to May 24, 2019. I have spoken with counsel for CNB and he has consented to this request.

The reason for the request is the death of my mother last week. As a result, I had completely overlooked this deadline, even though I did proceed to Florida to take a previously scheduled deposition in this case the very next day. I do not expect the Answer will take long to prepare, but I have a brief due in the Second Circuit on May 22, 2019, and would prefer to turn to this only after the funeral and that brief are complete. I do still plan on attending the May 20, 2019 conference in this case. I thank the Court for its consideration of this request.

Respectfully submitted,



Brian C. Brook

cc: All counsel of record